

SM.

**IN THE UNITED STATES DISTRICT COURT
FOR THE FORTHERN DISTRICT OF OKLAHOMA**

FILED
APR 20 2006
Phil Lombardi, Clerk
U.S. DISTRICT COURT

STATE OF OKLAHOMA,)	
)	
)	
Plaintiff,)	
)	
V)	Case No. 05-CV-0329-JOE-SAJ
)	
)	
TYSON FOODS, INC., et al,)	
)	
)	
Defendants.)	

ANSWER TO THIRD PARTY COMPLAINT

COME NOW the Defendant, Marjorie A. Garman individually and d/b/a Riverside RV Resort and Campground LLC (hereinafter referred to collectively as "Third Party Defendant"), alleges and states as follows:

1. Except as expressly admitted herein, Third Party Defendant generally denies each and every allegation contained in the Third Party Complaint.

2. With respect to the allegations contained in Paragraphs 1 through 9, Third Party Defendant denies responsibility for pollution of the Illinois River Watershed ("IRW"). Third Party Defendant is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained therein and demand strict proof thereof.

3. The allegations contained in Paragraphs 19-56 and 59 - 170 are not applicable to this Third Party Defendant. Third Party Defendant is without sufficient knowledge or information to form a belief as to the truth of those allegations and demand strict proof thereof.

4. With respect to the allegations contained in Paragraph 57-58 Third Party Defendant admits that Marjorie A. Garman owns and operates Riverside RV Resort and Campground LLC. Third party Defendant denies that Riverside RV Resort and Campground LLC systematically applies fertilizers and other chemicals to their property. Riverside RV Resort and Campground LLC denies that we improperly maintain riparian buffers along the Illinois River. Third Party Defendant denies the remaining allegations

contained therein.

5. Third Party Defendant is without sufficient knowledge or information to form a belief as to the truth to the allegations contained in Paragraph 171 and demand strict proof thereof.

6. With respect to the allegations contained in Paragraph 172, Third Party Defendant admits that this Court has personal jurisdiction over said Defendant.

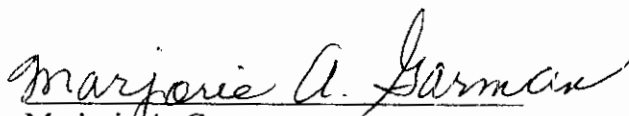
7. Third Party Defendant admits that venue is proper.

8. Third Party Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraphs 174-199 and demand strict proof.

9. Third Party Defendant denies the allegations contained in Paragraphs 200-201.

10. Third Party Defendant are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraphs 202-221 and therefore denies the same and demands strict proof thereof.

11. Third Party Defendant alleges that the complaint fails to state a claim upon which relief can be granted against this Defendant.


Marjorie A. Garman
5116 Hwy. 10
Tahlequah, Ok 74464